UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/654,405	09/01/2000	Janice Yoo	17887/007600US	5834

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TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
YUSSUF, SAJID

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No. 09/654,405	Applicant(s) YOO ET AL.
	Examiner Sajid A Yussuf	Art Unit 2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-42_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-42_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _01 September 2000_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) ☐ Interview Summary (PTO-413) Paper No(s). _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Specification

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise,

and exact terms." The specification is replete with terms which are not clear, concise and exact.

The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph.

Examples of some unclear, inexact or verbose terms used in the specification are:

a.   Page 4 Line 19 "the top selling toys for infants..." is written twice; consider removing

one instance.

The title of the invention is not descriptive. A new title is required that is clearly indicative

of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another
filed in the United States before the invention thereof by the applicant for patent, or on an
international application by another who has fulfilled the requirements of paragraphs (1),
(2), and (4) of section 371(c) of this title before the invention thereof by the applicant for
patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not

apply when the reference is a U.S. patent resulting directly or indirectly from an international

application filed before November 29, 2000. Therefore, the prior art date of the reference is

determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-7, 40-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Golding et al.

(6,640,218).

1. As per claim 1, Golding teaches a traffic monitor for use with a set of one or more Web

   servers for providing statistical analyses of traffic, comprising: an activity input for receiving

   data related to events on the set of servers, (See Column 6 Lines 17-33), means for

   categorizing events into categories, (See Column 7 Lines 54-64); wherein a category is

interpreted as a catalog of search queries a means for associating events with subjects, wherein counts are maintained for each subject and subjects are associated with categories, (See Column 6 Lines 43-50 & Column 8 Lines 1-10) a normalizer for normalizing counts for events over a field of events, (See Column 8 Lines 43-67), and a result output for outputting results of the normalizer as the statistical analyses of traffic (i.e., outputting the statistical analysis is interpreted as the query count), (See Figure 1A and Column 6 Lines 33-40).

2. As per claim 2, Golding teaches the claimed invention as described in claim 1 above and furthermore discloses the activity input is an input from Web server logs, wherein the input from web server logs is extracted through a database, (See Column 6 Lines 33-50).

3. As per claim 3, Golding teaches the claimed invention as described in claims 1-2 above and furthermore discloses the events include indications of page views, indications of search terms and indications of click streams of visitors to the set of servers; (i.e., the page view is interpreted as also being a click stream where a user clicks on a URL to access a Web page), (See Column 6 Lines 33-50 & Column 8 Lines 1-17).

4. As per claim 4, Golding teaches the claimed invention as described in claims 1-3 above and furthermore discloses the field of events are all page views, (See Column 7 lines 65-67 & Column 8 Lines 1-17 respectively).

5. As per claim 5, Golding teaches the claimed invention as described in claims 1-4 above and furthermore discloses the field of events is all page views in one category and wherein the normalizer normalizes a count for events over the single category field of events, (See Column 8 Lines 42-67).

6. As per claim 6, Golding teaches the claimed invention as described in claims 1-5 above and furthermore discloses a canonicalization table that relates terms that can be represented by a canonized form (i.e., the term canonical is defined as a normalization process) canonicalizer for generating at least one canonized term for an input term indicative of the input event, (See Column 6 Lines 55-67 & Column 7 Lines 1-3) a categorizer that generates one or more category indications for an input event, (See Column 6 Lines 55-67 & Column 7 Lines 1-3) and logic to assign a category to the input event based on the at least one

canonized term generated by the canonicalizer for the input term indicative of the input event, (See Column 6 Lines 55-67 & Column 7 Lines 1-3).

7. As per claim 7, Golding teaches the claimed invention as described in claims 1-6 above and furthermore discloses a click stream, (i.e., click log) input that provides indications of navigation of a user subsequent to an event; and a categorizer that generates one or more category indications for an input event; and logic to assign a category to the input event based on the indications of navigation of a user subsequent to the event, (See Column 8 Lines 1-38).

8. As per claim 40, Golding teaches a method of accumulating counts for categories and subjects of search events, comprising the steps of receiving, as a server, a search request from a client; searching a set of items using search parameters of the search request; providing the client with search results comprising a subset of the set of items wherein the items in the subset have a predefined search criteria relationship to the search parameters; accepting a selection from the user of one of the subset of items; and accumulating a count for the search event as a count for a subject or category associated with a subject or category of the selection, (See Column 6 Lines 55-67 & Column 7 Lines 1-40).

9. As per claim 41, Golding teaches method of canonicalizing search terms, comprising the steps of determining a first frequency of occurrence of a search term over a first period; (See Column 1 Lines 62-67, Column 2 Lines 1-10, Column 3 Lines 56-64) determining a second frequency of occurrence of a search term over a second period, wherein the first period is prior to the second period; (See Column 1 Lines 62-67, Column 2 Lines 1-10, Column 3 Lines 56-64) if an increase in frequency from the first frequency to the second frequency is not above a predetermined threshold, performing a first canonicalization process on the search term; (See Column 1 Lines 62-67, Column 2 Lines 1-10, Column 3 Lines 56-64) wherein the canonicalization process is called an Actual Pooled Popularity Value. If the increase in frequency is above the predetermined threshold, performing a second canonicalization process on the search term, where the second canonicalization process is more aggressive than the first canonicalization process; (See Column 10 Lines 16-34); wherein the second canonicalization process determines the rankings, (See Column 3 Lines

7-27); wherein the canonicalization process is linked with anti-spoofing, (See Column 1

Lines 62-67, Column 2 Lines 1-10, Column 3 Lines 56-64).

10. As per claim 42, Golding teaches a method of canonicalizing search terms, comprising the

steps of: determining a first frequency of occurrence of a first search term over time; (See

Column 2 Lines 24-52) determining a second frequency of occurrence of a second search

term over time, wherein the second search term is potentially canonically equivalent to the

first search term; (See Column 2 Lines 24-52) if the first frequency and the second frequency

rise together, (wherein they are relevant) associating the first search term and the second

search term as canonical equivalents; (See Column 2 Lines 24-52) and if the first frequency

and the second frequency do not rise together, (wherein they are not relevant) not

associating the first search term and the second search term as canonical equivalents, (See

Column 2 Lines 24-52).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived by
> the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or
   nonobviousness.

Claims 8-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Golding et al.

(6,640,218) in view of Leshem et al. (6,470,383)

1. As per claim 8, Golding discloses the claimed invention as described above.

However, Golding does not explicitly teach reading a log of events, wherein an event is a result of a client of the set of clients making a request of a server or the set of servers and the server providing a response to the client; automatically associating each event with one or more subject, wherein a subject is a topic or a term; determining if a subject for an event is a canonical equivalent of another subject; identifying one or more category relevant to the subject; accumulating counts for events by subject, wherein counts for canonical equivalents are accumulated together; and outputting the accumulated counts.

Leshem teaches a log of events, wherein an event is a result of a client of the set of clients making a request of a server or the set of servers and the server providing a response to the client; automatically associating each event with one or more subject, wherein a subject is a topic or a term, (See Leshem Column 28 Lines 55-65) determining if a subject for an event is a canonical equivalent of another subject; identifying one or more category relevant to the subject; accumulating counts for events by subject, wherein counts for canonical equivalents are accumulated together; and outputting the accumulated counts, (See Leshem Column 28 Lines 11-65).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to access server log files in order to display information about most frequently accessed URLs, the most heavily traveled links and paths, and most popular site entry and exit points as taught by Leshem in the system of Golding in order to simplify the task of evaluating and maintaining Web site effectiveness, (See Leshem Column 28 Lines 15-24).

2. As per claims 22,23,27,28, Golding discloses the claimed invention as described above.

However, Golding does not explicitly teach the events to include purchase transactions and downloading of media objects.

Leshem teaches a system the determines the navigation path followed by a visitor and by also determining a website's entry and exit points wherein it is interpreted that log files stored on web servers store information of entry and exit points therefore it is inherent that a user may access a homepage (entry point) whether be it a purchasing Web site or a media download site to either purchase or download media (exit point), (See Leshem Column 28 Lines 42-65).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to access server log files in order to display information about most frequently accessed URLs, the most heavily traveled links and paths, and most popular site entry and exit points as taught by Leshem in the system of Golding in order to simplify the task of evaluating and maintaining Web site effectiveness, and studying user behavior patterns (See Leshem Column 28 Lines 15-24 & Column 30 Lines 55-58).

3. As per claims 24,33,37, Golding discloses the claimed invention as described above.

However, Golding does not explicitly teach a step of generating a report showing comparisons of the traffic for each of a plurality of subjects in one or more categories; wherein at least one subject that is categorized in more than one category and counts for events associated with the at least one subject are allocated among the more than one category based on a context of the event whereby performing intersection analysis.

Leshem discloses a system of generating a report showing comparisons of the traffic for each of a plurality of subjects in one or more categories; wherein at least one subject that is categorized in more than one category and counts for events associated with the at least one subject are allocated among the more than one category based on a context of the event whereby performing intersection analysis; wherein intersection analysis is interpreted as multiple log files being filtered and then combined for analysis purposes, (See Leshem Column 28 Lines 55-67 & Column 29 Lines 1-13).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to perform intersection analysis as taught by Leshem in the system of Golding in order to specify custom filters and for limiting the scope of usage analysis, (See Leshem Column 30 Lines 60-67).

4. As per claim 9-12, Golding-Leshem teach the claimed invention as described in claim 8 above and furthermore discloses the set of servers as constrained set of servers or one server; wherein the constrained set of servers comprises the servers for a portal Web site, or a plurality of Web sites; wherein a Web site is defined as a database or other collection of inter-linked hypertext documents and associated data entities. Additionally these Web sites are stored on web servers, as taught by Golding, (See Golding Column 6 Lines 1-16).

5. As per claims 13,19,20, Golding-Leshem teach the claimed invention as described in claims 8-12 above and furthermore discloses the set of clients is an unconstrained set of clients or one client; wherein the clients can be user(s)/visitor(s), as taught by Golding (See Golding Column 5 & 6 Lines 66-67 & 1-16 respectively).

6. As per claims 14-18, Golding-Leshem teach the claimed invention as described in claims 8-13 above and furthermore discloses the set of clients is a constrained set of clients; wherein the constrained set of clients comprises the set of clients that connect to a network via a predefined service provider or that connect to a network via a predefined plurality of service providers or furthermore that access content via a predefined portal Web site or portal Web sites, (i.e., all mentioned aspects are interpreted that a(all) user(s)/client(s)/visitor(s) need(s) to access the internet. The internet is defined as a collection of interconnected public and private networks that are linked together), (See Golding Column 1 Lines 12-34 & Column 6 Lines 1-16), either through a predefined service provider or a plurality of service providers (i.e., accessing the Internet requires a user(s)/client(s)/visitor(s) to either connect through an internet service provider (ISP) or through a LAN, WAN or wireless network), as taught by Golding (See Golding Column 1 Lines 12-34 & Column 6 Lines 1-16).

7. As per claim 21, Golding-Leshem teach the claimed invention as described in claims 8-20 above and furthermore disclose the events include indications of page views, indications of search terms and indications of click streams of visitors to the set of servers; (i.e., the page view is interpreted as also being a click stream where a user clicks on a URL to access a Web page), as taught by Golding (See Golding Column 6 Lines 33-50 & Column 8 Lines 1-17).

8. As per claim 25, Golding-Leshem teach the claimed invention as described in claims 8-24 above and furthermore discloses the log of events includes a Web server log of search phrases of search requests, as taught by Golding, (See Golding Column 6 Lines 33-40).

9. As per claim 26, Golding-Leshem teach the claimed invention as described in claims 8-25 above and furthermore discloses the log of events includes a Web server log of page views, as taught by Golding (See Golding Column 5 Lines 33-40).

10. As per claim 29, Golding-Leshem teach the claimed invention as described in claims 8-28 above and furthermore discloses further a step of normalizing counts for each subject in a category relative to counts over the category, as taught by Golding (See Golding Column 8 Lines 42-50).

11. As per claim 30, Golding-Leshem teach the claimed invention as described in claims 8-29 above and furthermore discloses the step of associating an event with a subject, wherein the event is a search request, comprises the steps of providing the client with search results responsive to the search request; recording a selection made by the client from the search results; and associating the search request with the subject of the selection, as taught by Golding (See Golding Column 6 Lines 1-32).

12. As per claim 31, Golding-Leshem teach the claimed invention as described in claims 8-30 above and furthermore discloses the steps of determining a set of one or more demographic parameters relating to clients making requests or the users using the clients; and using the determined set of one or more demographic parameters to partition the counts by demographic divisions, as taught by Golding (See Golding Column 12 Lines 53-61).

13. As per claim 32, Golding-Leshem teach the claimed invention as described in claims 8-31 above and furthermore discloses the steps of determining a set of one or more demographic parameters relating to clients making requests or the users using the clients; and using the determined set of one or more demographic parameters to determine a distribution of at least one count for a topic or term over a plurality of demographic divisions, as taught by Golding (See Golding Column 12 Lines 53-61).

14. As per claim 38, Golding-Leshem teach the claimed invention as described in claims 8-37 above and furthermore discloses a step of performing associated interests analysis, as taught by Golding (See Golding Column 12 Lines 53-61).

Claims 34,35,36,39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Golding et al. (6,640,218) in further view of Martin et al. (6,338,066)

15. As per claims 34,35,36,39, Golding discloses the claimed invention as described above.

However, Golding does not explicitly teach a step of allocating advertising space based on the accumulated counts or generating an advertisement wherein content of the advertisement is a function of the traffic statistics and the steps of collecting traffic data/statistics prior to a campaign; executing the campaign; collecting traffic data after the campaign; and comparing the traffic before and after the campaign as a measure of campaign effectiveness; wherein the campaign can be a political campaign, a marketing campaign, a general awareness campaign, a public service announcement campaign, or a combination thereof (i.e., an advertisement).

Martin discloses allocating advertising space based on the accumulated counts or generating an advertisement wherein content of the advertisement is a function of the traffic statistics, (See Martin Column 2 Lines 5-19) and the steps of collecting traffic data/statistics prior to a campaign/ advertisement; executing the campaign/ advertisement; collecting traffic data after the campaign/ advertisement; and comparing the traffic before and after the campaign/ advertisement as a measure of campaign/ advertisement effectiveness, (See Martin Column 2 Lines 51-67 & Column 3 Lines 1-11).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to obtain traffic statistics and use the statistics of the past and future to select one advertisement from a set of potential advertisements based on the advertisement's total predicted effect on buying behavior as well as to select one link from a set of potential links based on the predicted behavior of the surfer and the potential that the surfer will want to use the link presented, (See Martin Column 3 Lines 1-11).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

1.   Chakrabarti et al. (US Patent No. 6,418,433) discloses a system and method for focused Web crawling;

2.   Kohli et al. (US Patent No. 6,519,585) discloses a system and method for facilitating presentation of subject categorizations for use in an on-line search query engine;

3.   Fleming, III (US Patent No. 6,230,204) discloses a method and system for estimating usage of computer resources;
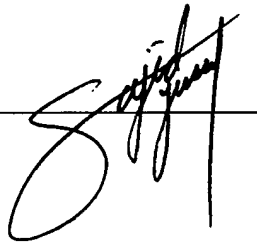
4.   August et al. (US Patent No. 6,647,383) discloses a system and method for providing interactive dialogue and iterative search functions to find information; and

5.   Shannon et al. (US Patent No. 6,233,618) discloses an access control of networked data;

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajid A Yussuf whose telephone number is (703) 305-8752. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM and Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sajid Yussuf
Patent Examiner
Technology center 2100
22 December 2003

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER